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ABSTRACT

This document looks at the increasing popularity of charter schools for intradistrict school choice. During 2000, about 1,700 charter schools were serving some 250,000 students in the United States. Charter schools typically begin as preexisting schools or as "startups" born with charters. States seem to have ambivalent attitudes toward charter schools, having either "strong" or "weak" laws on their books. A recent study shows that charter legislation thrives in states with a policy encouraging entrepreneurship, poor test scores, Republican legislative control, and proximity to other strong-law states. As a whole, charter schools are somewhat more racially diverse, serve a slightly higher percentage of economically disadvantaged students, and serve a slightly lower proportion of disabled and limited-English-proficiency students than do other public schools. They are havens for children with bad educational experiences and have stimulated improvements in the broader education system; most districts respond with energy to charter-school initiatives. As regards quality of education, statewide evaluations of charter schools in Colorado, Arizona, Massachusetts, Michigan, California, and New Jersey show mixed results, though some programs are too new to draw strong conclusions. Some innovative charter programs that are described include residential schools and cyber charter schools. Other issues that are covered here include implementation problems, equity, governance and regulatory issues, accountability, staffing policies, church-state issues, and key policy issues. (Contains 89 references.) (RJM)

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Trends and Issues

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Charter Schools

By Margaret Hadderman

Charter schools have become an increasingly popular brand of intradistrict or public-sector choice. The Center for Education Reform's 2001-02 National Charter School Directory profiles 2,431 schools in 34 states and Washington, D.C. These schools serve nearly 580,000 children and involve more than 1.6 million people, including students, parents, teachers, administrators, and charter-school board members ("Charter School Highlights and Statistics" 2002).

According to CER's directory, 374 new charter schools opened their doors in September 2001, and 77 more were approved to open in fall 2001.

During 2000, according to a U.S. Department of Education report, about 1,700 charter schools were serving at least 250,000 students in 36 states, the District of Columbia, and Puerto Rico during 2000 (Bowman 2000). A comparison of this figure (1,700) with the number of charter schools in CER's latest directory (2,431) shows that charter schools have grown by more than 40 percent during the past two years.

In May 2001, Indiana became the thirty-seventh state to enact charter-school legislation. Indiana, New Hampshire, and Wyoming have charter statutes, but no operating charter schools as yet (Center for Education Reform website).

Charter schools reflect their founders' varied philosophies, programs, and organizational structures, serve diverse student populations, and are generally committed to improving education (Hadderman 1998). In fact, a major premise of the charter movement is that public schools should become knowledge-driven instead of entitlement-driven. State charter laws are aimed at "raising all boats," not creating a few good alternative schools (Watkins 1999).

The U.S. Department of Education's financial support for charter schools "has grown from $6 million in 1995 to $100 million in the 1999 fiscal year" (Watkins 1999). The requested appropriation for fiscal 2000 was $130 million (Medler 1999), but $145 million was granted (Olson 2000).

Freed of many restrictions placed on traditional schools, charter schools are reimbursed by the state for each student (equaling the average statewide per-pupil expenditure). In return, these schools are expected to achieve certain educational outcomes within a certain period (usually three to five years), or have their charters revoked by sponsors (a local school board, state education agency, or university).

Proponents claim charter schools are a mixed supply-and-demand reform that will expand choice, improve accountability, and free teachers from regulation. Opponents fear the potential loss of students and state allowances. They also claim charters are a gateway to educational vouchers. Others see charter schools, with their emphasis on autonomy and accountability, as a workable political compromise and an alternative to vouchers. The charter approach blends market principles with democratic and nonsectarian values.

Origins, Founders, Students, and Advocates

Charter schools usually originate from "conversions" of preexisting public (and a few private) schools or are "startups" born with their charters (Manno and others 1998). Pointing to data from a 1997 U.S. Department of Education survey, Manno and his colleagues write, "56.4 percent of charter schools operating in 1995-96 were start-ups, 32 percent were once regular schools, and 11.1 percent were once private schools."

Manno and associates (1998) identify three interrelated groups of charter-school founders: reform-minded educators, visionary parents dissatisfied with public schools, and for-profit or nonprofit organizations. In the midnineties, founders' motives for creating charter schools included realizing an educational vision (61.1 percent), possessing autonomy (24 percent), and serving a special student population (12.7 percent) (U.S. Department of Education 1997).

By 1999, founders' primary motivations appeared to have shifted slightly, according to a U.S. Department of Education survey of 946 charter schools. About 58 percent wished to realize an alternative educational vision, while 23 percent wanted to serve a special population of (at-risk) students, and only 9 percent wanted to gain autonomy (Bowman, February 16, 2000).

According to Jeanne Allen, president of the Washington-based Center for Education Reform (1999), "the vast majority of people who started charter schools saw something lacking in the traditional school system" and wanted to help the kids most underserved by that system (Bowman, February 16, 2000). The center's own survey found that some schools "sought charter status to gain more autonomy or to improve their financial situation." Converted public schools cited the former goal; converted private schools, the latter.

Although African-American immersion charter schools are common in some urban areas, other major ethnic/minority groups have been slower to take advantage of the charter movement. This situation is changing; a Washington-based national advocacy group, the National Council of La Raza, has been raising $10 million from private foundations to launch a charter-school initiative aimed at Latinos (Zehr, November 21, 2001). Six local affiliates have already opened schools assisted by these grants, and another eleven affiliates have schools in the planning stage. Leaders say "creation of the schools is motivated as much by a desire for high standards as the expectation of studying and celebrating Hispanic culture." The NCLR initiative is favored over voucher proposals, since it "requires grant recipients to provide special education and English-language acquisition."

According to Zehr, the NCLR, well known for its afterschool programs, affordable housing, and day-care services for Hispanics, is only one of several community-based organizations that target underserved populations. Others considering provision of technical aid and grants to charter schools include the national YMCA, Youth Build USA, and Volunteers of America, Inc. Local YMCAs in Detroit, Houston, and Akron are already operating charter schools, and Chicago's is studying a La Raza-like initiative.

State Leaders and Statutes

In 1991, Minnesota adopted charter-school legislation to expand a longstanding program of public-school choice and to stimulate broader system improvements. Since then, the charter-school movement has spread to nearly three-quarters of the states.

State laws follow varied sets of principles based on Ted Kolderie's recommendations for Minnesota, American Federation of Teachers guidelines, and/or federal legislation. Principles govern sponsorship, number of schools, regulatory waivers, degree of fiscal/legal autonomy, and performance expectations.

Current laws have been characterized as either strong or weak. Strong-law states mandate considerable autonomy from labor-management agreements, allow multiple charter-granting agencies, and allocate realistic per-pupil funding levels. Arizona's 1994 law is the strongest, featuring multiple charter-granting agencies, freedom from local labor contracts, fifteen-year charter periods, and large numbers of permitted charters (Rebarber 1997).

More than 70 percent of charter schools are found in states with the strongest laws: Arizona, California, Colorado, Massachusetts, Minnesota, and North Carolina. Other states with strong- to medium-strength laws include Delaware, District of Columbia, Florida (the only state with a countywide charter-school district), Indiana, New Jersey, New York, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Texas, and Wisconsin (Center for Education Reform website).

The Center for Education Reform describes the following states as having weaker laws: Alaska, Arkansas, Connecticut, Georgia, Hawaii, Illinois, Kansas, Louisiana, Mississippi, Nevada, New Hampshire, New Mexico, Rhode Island, Utah, Virginia, and Wyoming.

According to two legal experts, states with unusually permissive legislation may be creating charter schools that are not considered public enough to receive state funding (Green and McCall 1998). Based on a recent Michigan lower court's decision, thirteen states may be vulnerable because they lack methods for choosing or removing their charter-school boards of directors. Six states (Alaska, California, Hawaii, North Carolina, Rhode Island, and Wyoming) fail the Michigan court's test, since they allow no state influence over curricula beyond revoking charters. Four states (California, Delaware, Hawaii, and Wyoming) are vulnerable for authorizing no state control over charter schools' daily operations.

An innovation-diffusion study surveying education policy experts in fifty states found that charter legislation is more readily considered in states with a policy entrepreneur, poor test scores, Republican legislative control, and proximity to other strong-law states (Mintrom and Vergari 1997). Legislative enthusiasm, gubernatorial support, interactions with national authorities, and use of permissive charter-law models increase the chances for adopting stronger laws. Seeking union support and using restrictive models presage adoption of weaker laws.

Charter Schools' Progress: An Overview

U.S. Department of Education Reports. The U.S. Department of Education's "Fourth-Year Report" (2000) corroborated the findings of its previous reports on charters' racial diversity and small size. Charters are somewhat more racially diverse, serve a slightly higher percentage of economically disadvantaged students, and serve a slightly lower proportion of disabled and limited-English-proficiency students than do other public schools. Most charter-school classrooms had computers for instruction and low student-to-computer ratios. Charters serving younger students tended to have smaller classes than other public schools. High-school charters had classes the same size or larger than in other public schools.

Another Department of Education report reviewed states' charter-school legislation to determine the extent to which the charter laws deal with disabilities-related issues. Researchers concluded that "none of the states include provisions related to goals, accountability, or assessment for students with disabilities" (Fiore and Cashman 1998). Few states specify who is directly responsible for developing education programs for these students. However, some state laws do contain provisions that prohibit discrimination, promote enrollment of special populations, and provide for special-education funding and transportation.

Additional Progress Reports. "Charter schools are havens for children who had bad educational experiences elsewhere," according to a Hudson Institute survey of students, teachers, and parents from fifty charters in ten states. Over 60 percent of parents said charter schools were better in terms of teaching quality, individual attention from teachers, curriculum, discipline, parent involvement, and academic standards. Most teachers said they felt empowered and professionally fulfilled (Vanourek and others 1997).

Joe Nathan (1998) points to other signs of progress. The number of active charter schools grew from one in 1992 to over 800 in early 1998 and 1,400 by September 1999 (U.S. Department of Education 2000). Charter schools have also attracted veteran community activists (such as Rosa Parks) and received bipartisan support from state legislatures (for example, in Colorado) and Congress (in 1999). Federal contributions have grown from $6 million in fiscal-year 1995 to $145 million for FY 2000.

Similarly, the Center for Education Reform (1999), an advocacy group that gathered over 50 reports on charters' progress across a number of indicators, says 80 percent of the charter schools studied are achieving their stated goals. The center's own report describes a sampling of dramatic, objective, and verifiable achievement gains demonstrated by individual charter schools in fourteen states.

A recent research update (CER website) increases this figure to 93 percent, as 61 out of 65 studies claim positive effects for charters. The Center's *Survey of Charter Schools, 2000-2001* reports that 97 percent of responding charters administer at least one standardized test annually; most teach underserved youngsters, including at-risk, minority, and low-income students; nearly one-quarter use either "Core Knowledge" or direct-instruction techniques in their schools; and almost two-thirds of charters have long waiting lists.

In their book analyzing charter-school literature, Thomas Good and Jennifer S. Braden (2000) acknowledge charter schools' political success while

concluding that charters have not lived up to their legislative mandates—to innovate instruction and enhance student achievement.

Instead, "charter schools, as a group, have led to the transfer of a significant percentage of states' funds from instructional to administrative costs." Data also show that charters have "further segregated students on the basis of income level, ethnicity, and special needs." Good and Braden advocate tightening laws so that charters can become instructive, positive examples for other schools, rather than a wasteful laboratory experiment.

About twenty-five charter schools (in California, Colorado, and Minnesota) have had their contracts renewed because they produced measurable achievement gains for students of both lower and higher income families (Nathan 1998). Nathan (1999) also enumerates impressive achievement gains by charter-school students in many communities, including Lawrence and Springfield, Massachusetts; Marietta, Georgia; Los Angeles; and Pueblo, Colorado.

Charters as Reform Catalysts

The charter idea (even the threat of chartering) has stimulated improvements in the broader education system. For example, Minnesota districts that had refused to create Montessori schools did so after frustrated parents began discussing charters (Nathan 1996). The flagship Duke Ellington School in Washington, D.C., withdrew plans to secure charter status only after the district promised it greater authority over hiring and firing decisions (White 1999).

To lure charter students back to district schools, Flagstaff (Arizona) Public Schools recently "opened a new magnet school focused on academics, technology and character development" and began funding an all-day kindergarten (Pardini 1999). Competition from charter schools also inspired the Williamsburg (Massachusetts) School District to begin an afterschool program (Rofes 1999).

According to the Center for Education Reform (2000), seven out of eight national and state studies that evaluated charters' effects on their home districts demonstrate "a positive ripple effect" manifested in low-cost reforms (like informational campaigns and teacher retraining), high-cost reforms (like full-day kindergarten), increased accountability, improved academic programs, and adoption of innovative, "charter-like" practices.

The Effects of Competition. When doctoral student Eric Rofes (1998) interviewed teachers, district administrators, and charter-school leaders and founders in twenty-five districts in eight states, he found that six districts "had responded energetically to the advent of charters and had significantly altered their educational programs." For example, the highly responsive Adams County (Colorado) School District "had chartered numerous schools as part of its broader reform strategy, responded to parent requests for more back-to-basics programs, and created stronger thematic programs in its traditional schools."

The Mesa (Arizona) School District, a high-performance district that was nonetheless losing students to charters, had a more moderate response: adding back-to-basics district schools and aggressively promoting its existing programs. Grand Rapids (Michigan) School District, another "moderate" responder, stepped

up its public-relations campaign and opened a school focused on environmental studies.

However, the majority (particularly large urban districts such as San Diego, Milwaukee, and Washington, D.C.) went "about business-as-usual," intensifying public-relations efforts to counter media focus on charters (Rofes 1999, 1998). Few district educators viewed charters as "educational laboratories" or sources of innovative strategies. Rofes says these findings are not particularly discouraging, given school-reform history. Competition is spurring a few superintendents "toward greater improvement in the district schools."

Rofes found that degree of financial impact was not the only contributing factor to district responsiveness to charters. Other critical elements included the overall school-choice ecology in the district, student performance, existence of a critical mass of charters in the area, community awareness, and district leadership.

According to another expert, the "competition mechanism" may not always work as charter-school proponents expect (Hassel 1999). Evidence from case studies of four states (Colorado, Georgia, Massachusetts, and Michigan) suggests that districts have a wide range of response modes besides improving their programs.

Districts can use the courts and subsequent legislation to derail or restrict charter schools; employ hostile bureaucratic tactics to delay implementation; respond to fiscal duress by cutting back on popular programs (like art and advanced placement); or peacefully coexist with charter schools. Charters often serve as safety valves to alleviate overcrowding and mitigate disgruntled parents' complaints. According to Hassel, charter schools may gradually wear down the system, but they will never replace it.

Andrea DeLorenzo, codirector of the National Education Association's Charter Schools Initiative, acknowledges that charters' presence has spurred some districts to add programs, but says the "jury is still out in terms of larger systemic change" (Lockwood 1997). For DeLorenzo and her NEA colleagues, the competitive model thwarts the initiative's objectives: "to keep public schools strong, viable, and responsive to the needs of children" via cooperation among public schools of all kinds.

A U.S. Department of Education study (website 2000) examined 49 districts in 5 states (Arizona, California, Colorado, Massachusetts, and Michigan). Nearly every district "reported impacts from charter schools and made changes in district operations, in the district educational system, or in both areas." Nearly half the districts "perceived that charter schools had negatively affected their budget"; nearly half became more service-oriented and increased marketing or public-relations efforts or stepped up the frequency of communication with parents. Most implemented new academic programs, restructured district organization, or developed new schools with programs resembling those in local charter schools. Districts that did not grant charters (particularly those with declining enrollments) were more likely to experience minimal budgetary effects from charter-school competition.

Opinions differ concerning Inkster (Michigan) Public Schools' alleged victimization by competition from six charter schools established during the mid-

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1990s "that have entic[ed] more than 500 students out of the district's schools" (Ladner and Brouillette 2000). Between 1960 and 1999, the district's enrollment fell from 5,000 students to about 1,750. One charter school stressing parent cooperation is responsible for drawing 221 students from district schools.

National and local media played up charters' responsibility for the district's predicament. However, empirical data from Ladner and Brouillette's case study of limited choice's effects show that Inkster "was well down the road to closure" before competition from any formalized choice program was introduced in 1995. In fact, enrollment decline actually slowed between 1995 and 1998. Deleterious factors included low test scores, school board instability, high leadership turnover, and racial tensions. According to the authors, expanded choice in the form of charter schools rescued the children of less-wealthy parents (composing 70 percent of the community) who could not afford to move out of the district or pay private-school tuition.

To avoid a state takeover, Inkster is turning over management of its schools to Edison Inc. in a five-year contract starting in fall 2001 (Bowman, February 23, 2000).

According to Gerald Bracey (2001), competition among *private* schools can be an unintended consequence in some states that allow private schools to convert to charter schools. Laws permitting private schools to convert also forbid them from charging tuition beyond the public funds received. They are essentially offering for free the same education program as formerly, unlike regular private schools that can charge what the market will bear.

Statewide Evaluations of Charter-School Progress

Since charter-school legislation in most states is less than a decade old, state-sponsored studies tend to be preliminary evaluations that avoid overarching conclusions regarding students' academic progress or charters' effects on the greater education system. Five states whose charter systems have been extensively studied by state agencies and university researchers are Colorado, Arizona, Massachusetts, Michigan, and California.

Colorado. Acknowledging that its study of Colorado's first 32 charter schools will sway neither skeptics nor proponents, the Colorado Department of Education (1999) seeks common ground for examining what works, what needs fixing, and what charter experiences might benefit other public schools.

According to this report, *1998 Colorado Charter Schools Evaluation Study* (published in January 1999), Colorado charter schools (operating for at least two years) have high levels of parent participation; favorable market indicators (waiting lists, retention rates, and parent satisfaction); high teacher satisfaction; and increased capacity for measuring school performance. Most schools are meeting or exceeding their stated goals; performance on the Colorado Student Assessment Program is stronger than state averages.

On the minus side, the student population of Colorado charter schools is not as diverse as that of the state as a whole. This admission is corroborated by a *Denver Post* article, which stated that "two-thirds of the African American,

Hispanic, and low-income students enrolled in charters in Colorado were in four of the state's 32 charter schools" (Lockwood 1997). Several schools have experienced a very high turnover of building administrators and board members. Also, innovative approaches are rare, and few charter-school approaches have been transferred to other public-school settings.

Arizona. In a study commissioned by the Arizona Department of Education, The Morrison Institute for Public Policy examined the progress of 82 (out of 137) representative Arizona charter schools. Findings showed that students' key reasons for transferring to charter schools were poor academic performance and/or dissatisfaction with their former schools. Parents and students seem more satisfied with charter schools and their teachers than with the public schools they formerly attended. Student performance on the Stanford 9 Achievement Test mirrors that of students attending regular public schools.

Parents, students, and staff are concerned about funding, lack of sports and other extracurricular activities, credit transferability, and inadequately implemented special-education requirements. Other stakeholders' chief worries include accountability for student achievement, special-education implementation, and teacher/director qualifications.

An Arizona State University study that compared the ethnic composition of adjacent charter and regular public schools in the state's most populous and rural areas discovered considerable ethnic segregation (Cobb and Glass 1999). Arizona charter schools were "typically 20 percentage points higher in White enrollment than the other publics"; those with substantial minority enrollments tended to be vocational schools or last-chance arrangements for kids expelled from regular schools.

In Bryan Hassel's (1999) analysis of charter-school laws, Arizona's policy environment scores high on two organizational-innovation dimensions (autonomy and choice/competition) and low on a third dimension—accountability. Arizona charters are independent entities that are directly funded by the state, have more potential authorizers than in other states, and enjoy fifteen-year chartering periods. Choice is furthered by lack of school-board veto power over charter applications, limited restrictions on numbers, and full per-pupil funding for operating (but not startup) costs.

Accountability, however, is hampered by lack of a central oversight authority and of rigorous, clear standards (see also Accountability section below). Appalled by abuses such as financial fraud, nepotism, and religious intrusions in Arizona's charter "experiment," Arizona State Senator Mary Hartley (1999) has three recommendations: restrict the number of new charter schools, increase reporting requirements and state monitors, and increase parental opportunities and responsibilities for school governance.

Stout and Garn's (1999) study of fifty Arizona charter schools shows that "the rhetoric of curricular innovation is more interesting than the reality." This observation holds true for at-risk, college-preparatory, and special-focus schools. There is little evidence to show that charter-school activity is enhancing student achievement. Standard Nine test scores for charter-school students resemble those of regular public-school students.

A primarily descriptive case study of forty of Arizona's fifty fifth-year charter schools (Gifford and others 2000) sponsored by the Goldwater Institute revealed some interesting student demographics. According to this report, "about half the schools target and enroll at-risk students," 30 percent target traditional students, and "slightly less that 10 percent target college preparatory students." Although 70 percent of respondents say they are serving their target populations, some 10 percent believe "they have missed their target population."

Some of these Arizona charter schools draw students from several residential areas and districts. The charters in this sample were 10 percent whiter than district schools, but served "a slightly larger percentage of black students and considerably fewer Hispanic students than districts" (Gifford and others 2000).

The charters reported using a team approach (including teachers and parents) in developing new curriculum and purchasing materials. Students follow coursework based on the Arizona Academic Standards and take the Arizona's Instrument to Measure Standards test in grades 3, 5, 8, and 10 through 12. No test results are given. Over half the schools report student entry at less than grade level, but say kids "get closer to grade level the longer they are at the charter school." At the high school level, entering students' average grade level was sixth grade. Nonacademic goals such as improved socialization, workplace readiness, and community service were common, and parents gave their children's schools A and B ratings.

Massachusetts. A state department of education report on the first three years of Massachusetts's charter-school initiative highlights four central features of charter schools: academic/administrative freedom, accountability, innovation, and choice.

Although the Massachusetts Comprehensive Assessment System is too new to evaluate current charter students' progress, other data suggest that students entering charter schools had achievement records that were at or below district averages. Since 1995, several schools have shown achievement gains on alternative standardized tests. Researchers concluded that charter schools have higher aggregate proportions of minority, low-English-proficient, and economically disadvantaged students and lower proportions of special-needs students than state averages.

Massachusetts charter schools' greatest challenges are securing adequate funding for facilities (partly remedied by a state facility-funding allotment of $270 per student in 1998-99) and satisfying special-education requirements. Despite the Commonwealth report's reassurance concerning most charters' inclusive and supportive practices, some for-profit charter schools (operated by Edison and Sabis) have been criticized for "systematically returning students with complicated disabilities to local district schools" (Zollers and Ramanathan 1998, 1999).

Also, none of the for-profits have bilingual programs for their minority-language students—a violation of state law. Zollers and Ramanathan find this situation particularly distressing, since these charter schools receive funding (including transportation stipends) for both LEP and disabled students whom they are not serving (1998).

Michigan. A Michigan Department of Education study of fifty-one schools (in the western/central regions of the state) participating in the Michigan Public School Academy (PSA) initiative discovered that most PSAs (charter schools) were very small, but steadily increasing in size (Horn and Miron 1999). "Cookie-cutter" or "franchise" schools started by management companies are the fastest growing of four distinct varieties.

Although "some schools celebrate diversity and strive to increase racial and social diversity of students, others have very few, if any, minorities or students with special needs." Over the past few years, there has been a 12 percent decrease in the proportion of minorities served by PSAs. Most PSAs reported "having no students qualifying for the Free Lunch Program" (either from ineligibility or failure to fill out paperwork), say Horn and Miron.

Researchers found little evidence that PSAs' missions included critical, supposedly mandatory elements such as innovative teaching methods, equitable use of funding, greater accountability, or creation of new professional opportunities for teachers. The most innovative feature of charter schools is their governance—by boards of directors appointed by the authorizer.

Findings of another Michigan Department of Education report—this one on charter schools in southeast Michigan—echoed those of Horn and Miron (1999). In this region, charter schools' minority composition closely mirrors that of surrounding public schools. A majority of students do qualify for the Free Lunch Program, though food service in these schools is nonexistent. Administrator inexperience and teacher-retention problems compound startup woes. The most experimental schools are "niche" schools serving special populations, such as African-Americans and hard-to-teach students.

In a recent report, three Michigan State University professors draw rather negative conclusions about charter schools' performance. Their report documents declining minority participation in some regions, a trend toward social sorting, lack of instructional innovation, and inadequate provision of special-education services (Sykes and others 2000). Sykes and colleagues recommend that the involvement of for-profit education management organizations (EMOs) in 70 percent of Michigan's charter schools receive closer scrutiny.

An allied report by Sykes and two MSU colleagues also supports claims that Michigan's school-choice policies (governing both charters and controlled-choice options) contribute to social-sorting practices (Arsen and others 1999). Many charter schools are increasingly targeting "niche markets" by promoting certain ethnic or value orientations. Others are attempting to shape their student populations by requiring parents to complete applications or participate in pre-enrollment interviews. The report makes policy recommendations to curb abuses and put charters on equal financial footing with other public schools.

In another Michigan State University study, political-science professor Michael Mintrom (2000) interviewed 272 principals from Michigan charter schools and regular public schools concerning their perceptions of innovative or distinctive practices at their schools. Results show more similarities than differences. Mintrom concluded that "Michigan's charter schools are no more

remarkable than other public schools when it comes to administration, curriculum, and many other elements of education."

California. An SRI International report prepared for the California Legislative Analyst's Office and a spin-off paper by two SRI researchers summarized study results of charter-school effectiveness in that state. The two documents highlight reform practices, distinguishing characteristics, and accountability issues (Powell and others 1997; Anderson and Marsh 1998). Data were gathered via phone surveys (from 111 out of 127 charter schools approved by April 1997), mail surveys, and onsite, structured interviews.

In California, conversion and startup schools varied widely as to staffing, financial autonomy, size, and services to special-need students (Powell and others 1997). Charter schools differed from noncharters by being smaller; enrolling students outside their sponsoring district boundaries; serving all grade levels, but in nontraditional groupings; and enjoying high parent-participation levels.

Anderson and Marsh identify several distinctive charter-school practices: home-based and independent-study programs, use of parents and noncredentialed teachers for some courses, mandatory parental involvement contracts, and financial independence for some charters. Because of liability and other concerns, only 11 percent of charters achieved true fiscal autonomy; many did not seek independence from their sponsoring agencies.

The report by Powell and colleagues (1997) found that California charters were similar to the state average in serving low-income, special-education, and minority-language students. Starting teacher salaries, teacher ethnicity, and union representation resembled other public schools' arrangements. Student outcomes were inconclusive, and charter schools were held more accountable fiscally than academically.

In a UCLA study, Amy Stuart Wells (1999) attempted to assess typical charter-school claims (for accountability, autonomy and empowerment, efficiency, choice, competition, and innovation) against actual results in seventeen charter schools in ten California school districts. In most cases, the study's fifteen findings do not support these claims and have unfavorable policy implications.

California charter schools are not yet being held accountable for enhanced student achievement, due to a dismantled statewide testing system, vaguely defined benchmarks in chartering documents, and disagreement over standards, responsibility, and reportage issues. As in the SRI study, Wells found that few charters desired complete autonomy from local districts and that credentialing and union membership were highly valued.

As for the efficiency claim, Wells (1999) "found no schools doing 'more' with less." Some charter schools were funded at "normal" levels, and some struggling, resource-deficient startups were simply poor, not efficient. Also, parental choice benefited some families more than others. Through recruitment and requirement mechanisms, charters themselves became choosers of potential attendees. Parents had more difficulty choosing charters than regular schools. Lack of transportation and stringent discipline policies affected who could enroll.

Additionally, the UCLA study found that the requirement that charter schools reflect their districts' racial/ethnic makeup was not being enforced. In 10

of the 17 schools studied, "at least one racial or ethnic group was over- or under-represented by 15 percent or more in comparison to their district's racial make up."

Finally, the study found little evidence that competition from charters was inspiring reforms in sponsoring districts. Many public-school educators dismissed the idea of competition, saying charters had an "unfair advantage," due to their student-selection criteria. Although Wells did note some innovative practices in classrooms and administrative offices, there were no mechanisms in place for charter schools and regular public schools to learn from each other.

New Jersey. On October 1, 2001, the New Jersey Commissioner of Education submitted a favorable evaluation of its charter school program based on public hearings, an independent and comprehensive study, and four years of implementation experience (New Jersey Department of Education website 2001). Since 1997, when the first charter school in the state was opened, enrollment has grown to 11,300 students attending 51 charter schools.

As a whole, New Jersey's charter-school students "are making substantial progress in achieving the Core Curriculum Content Standards in some, but not all areas of statewide assessments" for elementary and middle-school students. Charter schools are outperforming district noncharters in math and reading, but not in other areas. Charter schools enjoy "lower class sizes, lower student-faculty ratios, lower student mobility rates, extended school days and academic years, and higher faculty attendance rates than their districts of residence." Demand, satisfaction, and involvement are high among both parents and students. There seems to have been no substantial positive or negative affects on district programs or budgets.

Commissioner Vito Gagliardi concluded that the charter-school program should be continued and improved in several ways. Policymakers should provide charters with state aid for facilities, allow schools to incur long-term debt with appropriate controls and restrictions, allow public funds to be used for constructing facilities and establishing a charter-school support center, revise and stabilize state-aid funding mechanisms, provide state-funded grants to beginning founders, require newly approved charters to engage in comprehensive planning, and provide additional relief from mandates. The commissioner wants to create more incentives for establishing conversion charter schools and charter schools operated by businesses and higher education institutions.

Exemplary and Innovative Charter Programs

Nathan and other writers enumerate examples of charter-school successes, ranging from achievement gains for innercity youngsters at the New Visions Charter in Minneapolis and St. Paul's City Academy to improved reading scores for very low-income, language-minority students in Los Angeles, and improved vocabulary and math achievement for high school students at Boston's City on a Hill (Nathan, Rebarber 1997; Geske and others 1997).

A few charter schools have earned reputations as "educational powerhouses" (Toch 1998). Sankofa Shule, a Lansing, Michigan, Afrocentric

elementary school, offers instruction in four languages. The Arizona (Phoenix) School for the Arts, which accepts all interested students regardless of talent, combines a performing-arts program with a college-prep core curriculum.

Samples of innovative programs include the Henry Ford Academy of Manufacturing Arts and Sciences, housed in Detroit's renowned Henry Ford Museum and Greenfield Village (Abercrombie 1998), and two worksite charter schools for children of medical workers in downtown Dallas and Houston (Schnaiberg, March 25, 1998).

Two charter-school operations in California, Hickman Charter School in the San Joaquin Valley (Nathan 1996) and Options for Youth (with nineteen locations throughout the state), offer both public-school and home-school options for students. Options for Youth uses no district monies but is financed by the state charter-school funding formula (Perry 1998).

Teacher unions are also getting into the act, with three out of five NEA-sponsored schools operating in Colorado Springs, Colorado; Norwich, Connecticut; and Oahu, Hawaii (Schnaiberg, March 11, 1998a). The union hired Amy Stuart Wells to document, study, and share the five pilot schools' experiences (Schnaiberg, March 11, 1998b).

Residential charter schools. Several residential charter schools hope to enroll a few innercity students before they pose disciplinary problems (Weatherford 2000). In 1997, Boston University's state-funded Residential Charter School was founded to help former foster- or group-home youngsters develop academic and social skills. In the District of Columbia, the SEED Public Charter School "provides a residential, coed learning environment for academic underperformers from troubled homes." Piney Woods Academy, a black prep school, will soon replicate its academically rigorous program at a new residential school within the Detroit school system, thanks to a $400,000 Kellogg Foundation grant.

Cyber charter schools. Cyber schools are carving out a charter niche that defies the rules associated with brick-and-mortar conceptions of education (Trotter, October 24, 2001). As of fall 2001, "at least 29 cyber charters were operating in Alaska, Arizona, California, Colorado, Florida, Kansas, Minnesota, New Mexico, Ohio, Pennsylvania, Texas, and Wisconsin" (Center for Education Reform website). Enrollments vary widely, from fewer than 100 students to as many as 3,000. Proponents believe that cyber charters could proliferate, since online schools are unburdened by construction and maintenance costs, use fewer teachers than regular schools, are becoming popular with parents, and can easily obtain commercially packaged curriculum, management, and technical services (Trotter, October 24, 2001).

In Pennsylvania, Texas, and Ohio, however, litigation is raging over turf responsibilities and disputed charges for cyber-school courses. Critics and a few policymakers are questioning whether cyber charter schools are simply "glitzy versions of home schooling" and undeserving of public funding. The National Association of State Boards of Education appears to favor greater flexibility for public schools using e-learning, while promoting tougher regulation of cyber-charters (Center for Education Reform Newswire 2001).

At this point, the Texas legislature will not approve funding for cyber charters taught by parents; the Houston district will pay only for thirty Texas Virtual students enrolled in its catchment area. The Pennsylvania School Boards Association "is supporting a state senate bill that would require charters to get a district's approval before enrolling any of its students" (Hardy, September 2001); PSBA also wants more state involvement in funding and operating cyber charters.

Implementation Problems

Startup Obstacles. Nearly all charter schools face implementation obstacles, but newly created schools are most vulnerable. Most new charters are plagued by resource limitations, particularly inadequate startup funds. Although "doing more with less" may be a worthy goal, constant fund-raising pressures "can divert educators and parents from paying adequate attention to the educational business of schools" (Medler 1997).

To survive, many struggling startups eventually surrender operations to for-profit education-management companies. Through the Public Charter Schools Program, some federal funding is available to help new charter schools pay for planning, design, and startup costs. The program's funding has grown from $6 million in fiscal year 1995 to $145 million in FY 2000.

According to the U.S. Department of Education's *Guidebook for Charter School Operators and Developers* (June 2000), "In most cases, state departments of education apply to be part of the program and then award subgrants to developers and operators within their state. In states that have not elected to apply to the federal program, individual charter schools may, in some cases, apply directly to ED in partnership with their chartering agency."

In addition to funding problems, many newly forming charter schools also face opposition from local boards, state education agencies, and unions. Anecdotal evidence abounds concerning protracted battles between founders and district bureaucracies over rejected charter applications, transportation, building leases, student records, hiring practices, and funding allocations (Center for Education Reform; Kronholz 2000; Perez 2000).

Governance and Operational Blues. Abby Weiss, in her one-year report on a new charter school (Sarason 1998), notes problems with governance (creation of an efficient, collaborative decision-making structure) and isolation from other charter schools and from the local community. Elizabeth Steinberger (1999) discusses strategies of districts and charters in three states (Colorado, Oregon, and Wisconsin) that "balance the quest for autonomy with the need for accountability."

Seymour Sarason (1998, 1999), a charter-school advocate, worries that "the superficial conceptual rationale for creating charter schools" will generate implementation processes that will doom the movement as another "flawed educational reform." For Sarason, creating any new educational setting is a complex process that requires sophisticated planning and anticipation of predictable issues and problems. Too often, founders' enthusiasm and optimism lead them to "underestimate the consequences of limited resources."

Political and Statutory Constraints. There are multiple political and statutory constraints on charter schools' progress. According to David Osborne (1999), charter schools' numbers remain limited because legislatures continue to stall, and "fewer than a dozen [state charter] laws create competition."

According to Bryan Hassel, "15 of the first 35 charter laws allow local school boards to veto applications," and 15 laws compromise charters' independence by incorporating them into their districts. Furthermore, "only 17 of the laws permit full per-pupil operating funding to follow the child from a district to a charter school"; only a handful "allow capital funding to follow the child." There are also caps on numbers of charters and/or restrictions on types of people or organizations that can propose charter schools.

In the eleven states allowing private schools to convert to charters, founders no longer have the luxury of "creating the best class of students from those who applied for admission," according to one operator of a converted Montessori school (Spencer 1999). By law, staff must accept everyone regardless of program fit, complete endless paperwork, banish privately held information, deal with enemies, beware false profits, and undergo government scrutiny.

Equity and Accessibility Problems

Equity offers a troublesome caveat for many—especially since few charters have mandates to mix students (Lockwood 1997). As one education editor notes, both charter and magnet schools "tend to divide students by interests, abilities, and often by income" (Jenkins and Dow 1996). Charters do attract urban students because of their location, "but not the most vulnerable minority and disadvantaged students" (Schwartz 1996). Charter schools are not equally accessible to all students, since not all parents are proficient enough shoppers to select the best education deal for their children (Jenkins).

Even advocates admit that students with disabilities are not particularly well served by many charter schools (Nathan 1998). In Arizona, for example, only 4 percent of about 7,000 charter-school enrollees were being served as special-education students in 1995-96 (McKinney 1996). As federal and state progress reports show, many charters do not meet the needs of students who have individual education plans (IEPs) or develop programs to attract these students. A U.S. Department of Education publication *A Study of Charter Schools* (1997) that explains charter educators' legal responsibilities, combined with state monitoring and more equitable funding mechanisms, may help to increase awareness of this problem.

Additionally, a publication by the Northwest Regional Educational Laboratory's Equity Center (1998) addresses specific equity challenges for public charters in seven areas: effects on public-school districts, selection of students, family involvement, funding, accountability, teacher certification, and special education. The center outlines recommendations for developing equitable practices, planning for equity, incorporating equity components and strategies, and assessing progress toward these goals.

Another publication by the U.S. Department of Education Office for Civil Rights (2000) uses a question-and-answer format to outline charter schools' responsibilities for applying federal rights laws to their admissions and operations.

On the plus side, an analysis of charter legislation by Carrie Y. Barron Ausbrooks (2001), an assistant educational administration professor at the University of North Texas, concludes that "states' statutes do an adequate job of ensuring that underrepresented groups have access to charter schools and that students' civil rights are not violated by charter schools." All but two of thirty-six statutes she reviewed have provisions ensuring that "economically disadvantaged, minority and special needs have the same access as other students to charter schools and the educational opportunities they provide."

Virtually all statutes have anti-discriminatory clauses. About one-third of the laws address elitism or racial/socioeconomic isolation concerns. According to Barron, the problems that arise are not with statutory provisions, but with individual charter schools' discretionary policies and practices governing admissions, geographic boundary restrictions, and dissemination of information to parents.

Governance and Regulatory Issues

Nathan addresses other internal and external challenges for charter schools. Internally, charters need to develop valid, reliable, and inexpensive student assessments, discover the best governance systems, organize learning and teaching effectively, and continue to attract diverse student populations. Externally, the effects of multiple sponsors and strong charter laws should be monitored, along with for-profit companies' growing involvement in the movement. Nathan also believes that charter advocates must be wary of "questionable research," confront facilities issues, and win over skeptical educators and school-board members.

A group of educational economists studying governance structures expressed three major concerns related to charters' autonomy and regulation, market accountability, and accommodation of at-risk students (Geske and others 1997). Currently there is no guarantee that competition or "market accountability will ensure quality education," that ineffective charters will not fight to "maintain their existence, or that low-income families will benefit as richly from market choices as higher-income families."

Accountability: Competing Formats and Philosophies

In the maturing charter-school movement, accountability for school and student performance is fast becoming a primary concern for advocates, critics, researchers, policymakers, and practitioners. According to a report on the Charter Friends website (Schroeder, June 1999), "leaders of eight charter school resource centers have launched a major national initiative dedicated to strengthening [charter schools'] accountability and performance."

The Accountability Network, led by resource centers in Massachusetts, California, and Illinois, was planning to spread this effort to other states besides the other participants (District of Columbia, New Jersey, North Carolina, Texas, and Wisconsin). Charter Friends has consistently stressed charter boards' pivotal accountability role (Schroeder, August 1999) and has devised a comprehensive set of accountability guidelines, available on its website.

As shown in the statewide evaluation reports above, documented weaknesses in charter-granting agencies' oversight are all too common. According to Gerald Bracey (2001), "charter operators have often resisted producing financial or achievement data, even when this information falls under a state's freedom of information law."

The U.S. Department of Education's "Fourth Year Report" (2000) found that only 37 percent of charter schools sent a progress report to the chartering agency. Sixty-one percent sent a progress report to the charter board, but only 41 percent sent one to parents, and only 25 percent provided one to the community.

Lee Anderson and Karen Finnigan (2001), of SRI International, studied fifty chartering authorizers across the United States and found that there is a mismatch between the theory and reality of charter authorizer roles.

Charters are "being swept up in a rising tide of externally imposed accountability requirements (typically, mandatory participation in large-scale student assessment programs)." Anderson and Finnigan (2001) believe the new type of accountability that charter schools are trying to bring to public-school systems is getting lost in the shuffle; the "original vision of charter schools as unique institutions with individualized accountability plans is not likely to be realized in the current intergovernmental configuration of states and charter school authorizers."

Guidelines developed by a few proponents attempt to rectify this situation.

In his charter-school accountability guide, Bruce Manno (1999) describes four general criteria specified in all charter laws: "a school must (1) produce satisfactory academic progress by its students on state- or district-wide tests and similar measures; (2) demonstrate success in meeting nonacademic goals, including those unique to the school's design and set forth in its charter or contract; (3) provide evidence that it is a viable organization, especially when this concerns the responsible use of public funds, but also including management and governance issues; and (4) comply with whatever applicable laws and regulations are not waived for charter schools."

Arguing that the American public is more conversant with the rule-compliance approach to accountability than with market-based approaches, Manno would agree with Anderson that "the reality of charter-school accountability has not caught up with the theory."

Aware of all these difficulties and competing expectations, Manno, Finn, and Vanourek (2000) have suggested a "transparent" system, Generally Accepted Accountability Principles for Education, to "help these schools succeed as genuine education alternatives." GAAP is a system of generally applicable, consensus-driven, and results-oriented standards to display a "picture window" of

a school's production function and output goals to stakeholders—both customers and state authorizers.

According to Manno and associates, "transparency can facilitate and inform this notion of internal accountability," which, in turn, makes the notion of external market and regulatory accountability possible. They note that closure of a few charters (4 percent nationally) is one form of "accountability at work."

Staffing Policies and Practices

To understand personnel practices in charter schools, economists Michael Podgursky and Dale Ballou (2001) surveyed 132 charter schools "drawn from a random sample of 200 schools open for at least three years" in seven (strong-law) states—Arizona, California, Colorado, Florida, Massachusetts, Michigan, and Texas (Thomas B. Fordham Foundation web site: http://www.edexcellence.net).

They concluded that charter-school policies and practices involving "hiring, paying, and firing teachers are more like private schools than traditional public schools" (Keller 2001). Compared with the characteristics of other public schools, charters generally have a lower student/teacher ratio, higher staff turnover (including more frequent dismissals), more part-time and inexperienced teachers, and more teachers lacking certification. About 31 percent of surveyed charters provided bonuses for math and science teachers, and 46 percent used merit or performance pay instead of salary schedules (Podgursky and Ballou 2001).

Although the authors call these practices "innovative," Deanna Duby, a National Education Association policy analyst, questions these assumptions (Keller 2001). Duby says claims that choice markets (especially those created by charters and vouchers) benefit both schools and the teaching profession need further debate and investigation.

Church-State Issues

Church-state separation may be a major concern in some areas, according to Marc Bernstein (1999), a New York City superintendent. After his state adopted charter legislation, NYC "religious leaders began enthusiastically preparing themselves to establish charter schools." The Rev. Floyd H. Flake, former congressman and vocal public-education critic, "argued for skirting the constitutional barrier between church and state by offering religious instruction outside school hours."

In Chicago, Father Michael Pfleger was planning to close a parish school and open a publicly funded charter school operated by a board with possible links to the parish or Catholic archdiocese (Bernstein 1999). In Michigan, the ACLU and some parents have sued National Heritage Academies, a for-profit management company, for promoting religion in a Grand Rapids charter school (Michigan ACLU 1999).

According to Bernstein, litigation "inevitably will require the [U.S. Supreme] Court to rule on charter schools' use of church property, the

participation of religious leaders on charter school governing boards and the attendance of charter school students at home and after-school religious education programs when the church's facilities are used to house the charter school."

Manuals and Guidelines

The past few years have seen a proliferation of manuals and guides to help founders, parents, and staff negotiate common pitfalls and reap the rewards of establishing charter schools. Many, like the equity manuals mentioned above, are published or sponsored by the U.S. Department of Education.

Using such manuals, founders of charters can learn to create good working partnerships with sponsoring districts (Izu 1999) and the media (Blaha 1998); comprehend charter-school basics (Saks 1997; Leys 1999), the charter-school review process (Hassel 1998), enabling legislation (Billingsley and Riley 1999), and applicable federal civil-rights laws (U.S. Department of Education 2000); and become apprised of charter-school founders' typical leadership needs (Lane 1998).

Key Policy Issues

In a paper examining the charter-school movement's general purposes, researchers at the Northwest Regional Educational Laboratory's Equity Center (1998) discuss several perspectives that focus on increasing student achievement—charter schools as a catalyst for systemwide change; as a component of comprehensive education reform; and as a means to enhance individual and group equity.

NWREL recommends three policy alternatives that are integral to the movement's success: (1) train and educate all parents to become actively engaged in choosing a school for their child; (2) provide mechanisms to transfer innovations and strategies from charter schools and existing choice schools into the traditional public-school system; and (3) continue to emphasize accountability mechanisms and high academic achievement.

Finding "market-based social policy" an uncertain proposition, Thomas Lasley II and William Bainbridge (2001) say legislators should refrain from basing a major policy shift on enhanced parental satisfaction alone. Lawmakers should "cap charter initiatives until clear evidence of the social and educational consequences is available and understood." Moreover, "state governmental leaders need to manage the rate of change so that those most in need of help by the creation of new schools are not hurt if the 'experiment' fails." As Fiske and Ladd (2000) found in New Zealand, "expanding options without working to strengthen existing schools compromises the common good, because it potentially limits necessary guarantees—namely a place for each child in a free public school."

In his book *Inside Charter Schools: The Paradox of Radical Decentralization*, Bruce Fuller (2001) is concerned with charters as larger system-reform agents. He would like to help the charter movement "get a fair shot at true

reform, organizational change that advances both democratic participation *and* children's learning." Noting that "high hopes must be tempered with sound evaluation and unrelenting attention to evidence," Fuller found that in the six alternative schools he studied, community-building was vastly more important to charter-school founders than competitive marketing strategies. For Fuller, "both the charter and parental choice movements are embedded in a wide debate over how civil society can construct warmer and more supportive forms of community."

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